

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT
Case type: Personal Injury

Kathryne Preston,

Court File Number: _____

Plaintiff,

vs.

SUMMONS

Menard, Inc.,

Defendant.

TO: THE STATE OF MINNESOTA AND TO THE ABOVE-NAMED DEFENDANTS:

1. **YOU ARE BEING SUED.** The Plaintiff has started a lawsuit against you. The Plaintiff's Complaint against you is attached to the Summons. Do not throw these papers away. They are official papers that affect your rights. You must respond to this lawsuit even though it may not yet be filed with the Court and there may be no Court file number on this Summons.
2. **YOU MUST REPLY WITHIN 20 DAYS TO PROTECT YOUR RIGHTS.** You must give or mail to the person who signed this Summons a written response called an Answer within 20 days of the date on which you received this Summons. You must send a copy of your Answer to the person who signed this Summons located at Reitan Law Office, PLLC, Grandview Office Park, 1454 White Oak Drive, Chaska, MN 55318.
3. **YOU MUST RESPOND TO EACH CLAIM.** The answer is your written response to the Plaintiff's Complaint. In your Answer you must state whether you agree or disagree with each paragraph of the Complaint. If you believe the Plaintiff should not be given everything asked for in the Complaint, you must say so in your answer.
4. **YOU WILL LOSE YOUR CASE IF YOU DO NOT SEND A WRITTEN RESPONSE TO THE COMPLAINT TO THE PERSON WHO SIGNED THIS SUMMONS.**

If you do not Answer within 20 days, you will lose this case. You will not get to tell your side of the story, and the Court may decide against you and award the Plaintiff everything asked for in the Complaint. If you do not want to contest the claims stated in the Complaint, you do not need to respond. A Default Judgment can then be entered against you for the relief requested in the Complaint.

5. LEGAL ASSISTANCE.

You may wish to get legal help from a lawyer. If you do not have a lawyer, the Court Administrator may have information about places where you can get legal assistance. **Even if you cannot get legal help, you must still provide a written Answer to protect your rights or you may lose the case.**

6. ALTERNATIVE DISPUTE RESOLUTION.

The parties may agree to or be ordered to participate in an alternative dispute resolution process under Rule 114 of the Minnesota General Rules of Practice. You must still send your written response to the Complaint even if you expect to use alternative means of resolving this dispute.

REITAN LAW OFFICE, PLLC
Attorneys for Plaintiff



Dated: 6/30/2020

Benjamin L. Reitan (Atty. Reg. No. 0348405)
1454 White Oak Drive
Chaska, MN 55318
(952) 448-2800 Tel.
(952) 448-2823 Fax
breitan@reitanlawoffice.com

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF HENNEPIN

FOURTH JUDICIAL DISTRICT

Case type: Personal Injury

KATHRYNE PRESTON,

Court File No.: _____

Plaintiff,

COMPLAINT

vs.

MENARD, INC.,

Defendant

Plaintiff Kathrynne Preston complains of Defendant, Menard, Inc. and for cause thereof alleges:

I.

That on or about August 3, 2018, Plaintiff Kathrynne Preston was a customer at the retail store owned and operated by Defendant Menard, Inc., located in the city of Golden Valley, County of Hennepin, and State of Minnesota.

II.

That on or about August 3, 2018, Plaintiff Kathrynne Preston, while shopping at Defendant's establishment, was injured when a metal sign fell from a display rack and hit Plaintiff on the top of the head and in the face.

III.

Defendant, Menard, Inc., is now, and at all times mentioned in this complaint, was a corporation organized and existing under the laws of the state of Wisconsin, which does business in the state of Minnesota.

IV.

At all times mentioned in this complaint, Defendant Menard, Inc., owned and operated a store known as Menards, located at 6800 Wayzata Blvd, Golden Valley, MN 55426. Defendant invited the general public, including the Plaintiff, to enter the premises and to purchase items from the Defendant.

V.

Defendant, as owner and operator of the aforementioned store, negligently:

- a. Failed to install the sign in a safe location;
- b. Failed to secure the sign in a safe manner;
- c. Failed to warn Plaintiff of the dangers created by Defendant; and
- d. Failed to otherwise exercise due care with respect to the matters alleged in this Complaint.

VI.

That as a direct and proximate result of the negligence of Defendant Menard, Inc., Plaintiff Kathryn Preston was injured.

VII

That as a direct and proximate result of the negligence of Defendant Menard, Inc., Plaintiff Kathryn Preston was caused to expend sums of money for medical care and treatment for her injuries and in the future will be required to expend some money for medical care and treatment of her injuries.

VIII.

That as a direct and proximate of the negligence of Defendant Menard, Inc., Plaintiff Kathryn Preston has suffered a permanent injury.

IX.

That as a direct and proximate of the negligence of Defendant Menard, Inc., Plaintiff Kathryn Preston has been caused to endure and in the future will continue to endure great mental and physical pain, suffering, disability, and emotional distress.

WHEREFORE, Plaintiff Kathyne Preston prays for judgment against Defendant, Menard, Inc. in an amount in excess of \$50,000.00 together with her costs and disbursements herein.

REITAN LAW OFFICE, PLLC
Attorneys for Plaintiff

Dated: 06/30/2020



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